

ENTERED

September 06, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

GILBERTO GARCIA; aka CHICKEN
WING; aka WING; aka ALA§
§
§
§
§
§

CRIMINAL ACTION NO. 2:16-CR-706-6

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There is a serious risk that the Defendant will not appear; and
- (2) There is a serious risk that the Defendant will endanger the safety of another person or the community.

The evidence against the Defendant is substantial. The findings and conclusions contained in the Pretrial Services Report are adopted. Nothing is known about the Defendant's background, except that he is on bond for a murder charge. He has convictions for felony controlled substance offenses as well as aggravated assault. He has been unable to comply with court-ordered conditions in the past, making him a poor candidate for bond.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending

appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 6th day of September, 2016.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE